

REMARKS

The Examiner's recognition of Applicants' invention by that allowance of claims 1-5 and the indication of allowable subject matter for claims 7 and 9-16 is gratefully acknowledged.

Claim Rejection based on Jones et al.

Claim 6 was rejected under 35 U.S.C. § 102(b) as anticipated by United States Patent No. 5,902,211, issued to Jones et al. in 1999.

Jones et al. relates to a clutch control. Referring to Fig. 1, Jones et al. describes an engine that includes a throttle valve 18 operated by an accelerator pedal 19, col. 2, lines 55-56. An accelerator position sensor 19a provides a signal Va to a control unit 36, col. 3, lines 5-7. A throttle valve position sensor 30 provides a signal Vt to the control unit 36 indicative of throttle opening, col. 3, lines 3-5. The control unit operates a throttle control 37 to adjust the position of the throttle valve, col. 3, lines 22-24. (The arrow in Fig. 1 incorrectly shows an arrow indicating a signal from throttle control 37 to the control unit 36. In order to override the driver's operation, col. 3, lines 45-50, a signal is needed from the control unit to the throttle control, in the opposite direction to the depicted arrow. Nothing in Jones et al. provides for a signal from the throttle control to the control unit, nor is one required in view of the signals from the accelerator sensor 19a

and the throttle valve position sensor 30.) Thus, in Jones et al., the inputs to the control unit 36 regarding throttle position are from the accelerator sensor 19a and the throttle valve position sensor 30, and the inputs to the throttle control 37 are from pedal 19 and control unit 37.

In contrast, Applicants' vehicle disable system includes an override input transmitted to the electronic control module in lieu of the throttle position signal. There is nothing in Jones et al. to provide alternate signals from the throttle position sensor 30 or accelerator position sensor 19a to control unit 36. Jones et al. does provide an override of the pedal signal to throttle control 37, col. 3, lines 45-50. However, the override signal is separate and distinct from the pedal connection, i.e., the pedal input. Thus, there is no override input to the input to throttle control 37 that receives the signal from the driver input mechanism, and the override signal does not replace the signal from the pedal. Without these features, Jones et al. does not anticipate, or even suggest, Applicants' invention.

Claim 6 is directed to Applicants' vehicle disable system that includes an ECM input and a throttle position sensor that provides a throttle position signal to the ECM on the ECM input. In accordance with the claim, the system also includes an override input that enables an idling signal to be transmitted to the ECM on the ECM input in lieu of the throttle position signal. Jones et al. overrides the operation of the throttle control with a signal from the control unit that is separate from the input from the accelerator pedal. With regard to the inputs to the control unit 36 in Jones et al., these receive continuous

input from throttle position sensor 30 and pedal sensor 19a, which are not overridden. Thus, Jones et al. does not provide an override input to the ECM input in lieu of the throttle position signal, and so does not teach or suggest Applicants' vehicle disable system in claim 6.

Accordingly, it is respectfully requested that the rejection of the claim 6 based upon Jones et al. be reconsidered and withdrawn, and that the claim be allowed.

Claim Rejection based on Jones et al. and Hawkins et al. .

Claim 8 was rejected under 35 U.S.C. § 103 as unpatentable over Jones et al. in view of United States Patent No. 4,444,286, issued to Hawkins et al. in 1984.

Claim 8 is dependent upon claim 6. For the reason herein, Jones et al. does not provide an override input to the input of the electronic control module that receives the signal from the throttle position sensor and that is provided in lieu of the signal from the throttle position sensor. Thus, Jones et al. does not teach or suggest the dependent claim that incorporates these features.

Hawkins et al. is cited to show a throttle position sensor that includes a resistor and a wiper arm. However, Hawkins et al. does not suggest replacing the input from a throttle position sensor with an override input at the input to a control module. Thus, even if combined with Jones et al., there is nothing to lead the practitioner to provide an

override input to the control module input in lieu of the signal from the throttle position sensor, so as to arrive at Applicants' invention as set forth in claim 6, or in claim 8 dependent thereon.

Accordingly, it is respectfully requested that the rejection of the claim 8 based upon Jones et al. and Hawkins et al. be reconsidered and withdrawn, and that the claims be allowed.

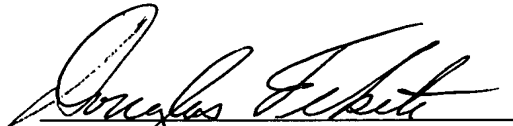
Conclusion

Claims 7 and 9-16 were objected to as dependent upon a rejected base claim. For the reasons herein, it is believed that the base claim is now allowable. Accordingly, it is requested that the objection be withdrawn, and that all claims be allowed.

If it would further prosecution of the application, the Examiner is urged to contact the undersigned at the phone number provided.

The Commissioner is hereby authorized to charge any fees associated with this communication to Deposit Account No. 50-0831.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Douglas D. Fekete", written over a horizontal line.

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